

May 25 2010


Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

Form 1

IN THE SUPREME COURT OF THE STATE OF MONTANA

Supreme Court Cause No. _____

(To be assigned by the Clerk of the Supreme Court)

 "ALL RIGHTS RESERVED"

Phoenix Cavalier _____
 Address: POBox 81, Roundup Mt 59072
 Phone 317-313-8215 _____
 Fax _____
 E-mail _____

FILED

MAY 25 2010

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

Phoenix Cavalier _____

Appellant,

v.

NOTICE OF APPEAL

Timothy R. Osman, David Krone _____,
 Appellee.

NOTICE is given that Phoenix Cavalier, the Appellant above-named and who is the Defendant (plaintiff/petitioner/or other designation) in that cause of action filed in the 14th Judicial District, in and for the County of Musselshell, as Cause No. DV-08-63, hereby appeals to the Supreme Court of the State of Montana from the final judgment or order entered in such action on the 18 day of May, 2010.

THE APPELLANT FURTHER CERTIFIES:

1. That this appeal is/is not ☒ subject to the mediation process required by M. R. App. P. 7. If subject to mediation, the money judgment being sought is/is not less than \$5,000.

2. That this appeal is/is not ☒ an appeal from an order certified as final under M. R. Civ. P. 54(b). If this is such an appeal, a true copy of the District Court's certification order is attached hereto as Exhibit "A."

3. That the notice required by M. R. App. P. 27 has been or will be given, within 11 days of the date hereof, to the Supreme Court and to the Montana Attorney General with respect to a challenge to the constitutionality of any act of the Montana Legislature.

4. That all available transcripts of the proceedings in this cause have been/have not been ☒ ordered from the court reporter contemporaneously with the filing of this notice of appeal. If all available transcripts have not been ordered, that Appellant has complied with the provisions of M. R. App. P. 8(3) contemporaneously with the filing of this notice of appeal.

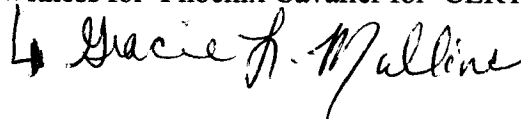
5. That included herewith is the filing fee prescribed by statute, or the affidavit to proceed without payment of the required filing fee prescribed in the Appendix of Forms as Form 3.

Dated this 19 day of MAY, 2010.

Sign: _____

"ALL RIGHTS RESERVED"

Witness for Phoenix Cavalier for CERTIFICATE OF SERVICE

 05-21-10

Original

11011

Original

I hereby certify that I have filed a true and accurate copy of the foregoing NOTICE OF APPEAL with the Clerk of the Montana Supreme Court; and that I have served true and accurate copies of the foregoing NOTICE OF APPEAL upon the Clerk of the District Court, each attorney of record, and each party not represented by an attorney in the above-referenced District Court action. as follows:

Dated this 19 day of MAY, 2010.

ED SMITH
Clerk of the Supreme Court
POBOX 203003
Helena, 59620

Robert W. Snively
RR 1 BOX 1065
Hardin. MT 59034
Attorney of Appellee(s)

Connie Mattfield
Clerk of 14th District Court
Musselshell County
Roundup Mt 59072

Redhawk Blanks
BOX 81, Roundup Mt 59072

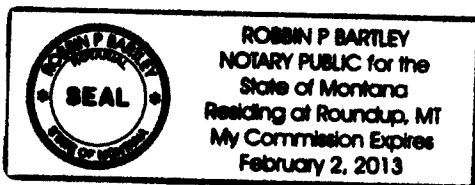
Sign Gracie L. Mullins

Gracie L. Mullins (Server)

For Appellant: Phoenix Cavalier "ALL RIGHTS RESERVED"

ROBBIN P. BARTLEY
NOTARY PUBLIC for the State of Montana
Residing at Roundup, Montana
My Commission Expires 02-02-2013
Robbin P. Bartley

Notary



Notary

